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2 PHILADELPHIA GAS COMMISSION
3 - - -
4 SUCH OTHER BUSINESS
5 - - -
6 September 16, 2025
7 10:08 a.m.
8 - - -

9 Hybrid Meeting held on the
10 18th Floor - 1515 Arch Street
11 and Virtually via Teams
12 - - -

11 BEFORE: CHRISTY BRADY, Chairwoman
12 CURTIS J. JONES, JR.
13 EVAN URBANIA
14 MIKE DRISCOLL
15 DOMINIC McGRAW (Via Teams)
16 BILL RUBIN, Alternate
17 Commissioners
18 - - -
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20
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22
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24 VERITEXT LEGAL SOLUTIONS
MID-ATLANTIC DIVISION

1 APPEARANCES:

2 JAMES C. KELLETT, ESQ.
3 Deputy City Solicitor
4 TRAVIS M. KNIFFIN, ESQ.
5 Assistant City Solicitor
6 Counsel to Philadelphia Gas Commission

7 ANDRE C. DASENT, ESQ. (Via Teams)
8 BROOKE DARLINGTON, ESQ.
9 Counsel to Philadelphia Gas Works

10 COMMUNITY LEGAL SERVICES, INC.
11 BY: ROBERT W. BALLENGER, ESQ.
12 VIKRAM PATEL, ESQ.
13 Counsel to Public Advocate

14 PRESENT ON BEHALF OF PGC:

15 GEMELA N. McCLENDON, ESQ.
16 Executive Director

17 HEIDI L. WUSHINSKE, ESQ.
18 Hearing Examiner
19 ROSLYN BELL, ESQ.
20 Hearing Examiner

21 ANNA M. CORRADO ROWE
22 Senior Analyst
23 TIMOTHY MURTHA
24 Financial Analyst/Internal Auditor

1 PRESENT ON BEHALF OF PGW:

2
3 ROBERT HOAGLUND, ESQUIRE
4 Senior Attorney
5 WILLIAM J. GALLAGHER
6 Vice President, Budget and Strategic
7 Development

8 PRESENT ON BEHALF OF CITY COUNCIL:

9
10 THOMAS P. FORKIN
11 6th District Chief of Staff

12 PRESENT ON BEHALF OF THE CITY OF PHILADELPHIA:

13 OFFICE OF ENERGY INFRASTRUCTURE:

14 TAMMY LEE (Via Teams)

15 OFFICE OF SUSTAINABILITY:

16 CHARLOTTE SHADE (Via Teams)

17 SHOSHANNA BRICKLIN (Via Teams)

18 PRESENT ON BEHALF OF THE PUBLIC:

19 MITCH CHANIN (Via Teams)

1 THE CHAIRWOMAN: We will move to Item
2 3 on the agenda, which is any such other
3 business as may be properly brought before
4 this Commission.

5 Is there any other business to be
6 brought before this Commission?

7 MR. BALLENGER: Yes, Madam Chair, and
8 this may be more for your counsel.

9 But I just haven't seen an executive
10 session on the agenda in a long time so in
11 preparation for this meeting I did look into
12 the Sunshine Act and I just wanted to let
13 you know that for purposes of at least the
14 way the courts have interpreted the Sunshine
15 Act, the statement from the case is that the
16 reason stated by the public agency must be
17 specific, indicating a real and discrete
18 matter.

19 I don't want the Commission to
20 potentially face a lawsuit for violation of
21 the Sunshine Act, so I just encourage you to
22 provide some detail.

23 And, Jim, I can provide you the case
24 cite if you need it.

1 MR. KELLETT: Well, may I?

2 THE CHAIRWOMAN: Yes.

3 MR. KELLETT: So if you'd like, the
4 matters that we were discussing were within
5 Subsection 5 and 6 or Section 708 of the
6 Sunshine Act. If you would like further
7 detail than that, we can provide it.

8 MR. BALLENGER: So the specific case
9 was the Reading Eagle versus City Council of
10 Reading case, and in that case the court
11 actually held there was a Sunshine Act
12 violation because the only description of
13 the reason for the executive session was to
14 discuss matters of litigation.

15 In that case they actually said that
16 the proper way to address an executive
17 session for purposes of informing the public
18 of the purposes of that session would be to
19 describe the actual case and the caption of
20 the case so that the public could understand
21 what was being discussed.

22 And they actually cited to a case in
23 Mississippi, I believe, where they said that
24 an announcement of personnel matters was

1 inadequately specific and they cited that
2 favorably.

3 So I don't intend to pursue a lawsuit
4 against the Commission.

5 MR. KELLETT: I appreciate your
6 reasoning.

7 MR. BALLENGER: Others in attendance
8 may. I just want to make sure that
9 everything is conducted in compliance, as I
10 know you do, with the letter of the law and
11 the Sunshine Act and the ways the courts
12 have interpreted it.

13 MR. KELLETT: I appreciate your point
14 of information, sincerely.

15 MR. BALLENGER: Thank you.

16 THE CHAIRWOMAN: Thank you.

17 Is there any other business?

18 - - -

19 (No response.)

20 - - -

21 THE CHAIRWOMAN: There being no
22 further business, I direct the Gas
23 Commission Staff and assigned counsel from
24 the Law Department to prepare the necessary

1 orders and resolutions that result from
2 today's meeting.

3 This meeting is adjourned.

4 COMMISSIONER JONES: Thank you, Madam
5 Chair.

6 COMMISSIONER URBANIA: Thank you.

7 MR. DASENT: Thank you.

8 - - -

9 (Whereupon the meeting adjourned at
10 11:17 a.m.)

11 - - -

12 Reported By: Susan Marie Migatz, RMR, CRR

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